GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – MA&UD Department - Allegation of demand and acceptance of bribe amount against Sri Shaik Kalesha, former Sanitary Inspector, Guntur Municipal Corporation, Guntur - Trapped by ACB on 27.10.2004 – Retired from Service – Charge Sheet filed by ACB - Convicted by the Trial Court in C.C.No.19/2006 - Imposing of "withholding of 100% pension permanently" - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.MS.No. 163 **Dated: 21-05-2018.**
Read the following:

1. From the DSP, ACB, Vijayawada Range, Vijayawada, Automex Message, CR No.20-ACB-VJA/2004, dated.27.10.2004.
2. From the Commissioner, Municipal Corporation, Guntur, Proceedings Roc.No.9050/2004/F1, dated.28.10.2004.
3. Govt.Memo.No.21094/Vig.IV.2/2004-13, MA&UD (VIg.IV) Dept., dated.23.04.2007.
4. From the Director General, Anti Corruption Bureau, Hyderabad, Letter C.No.160/RCT-VGT/2004, dated. .04.2005.
5. Govt.Memo.No.21094/Vig.IV.2/2004-6, MA&UD (Vig.IV.1) Department, dated22.07.2005.
6. Judgment dated:02.11.2017 of the Court of Special Judge for SPE & ACB., cases, Vijayawada in C.C.No.19/2006.

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O R D E R:

Whereas, in the reference 1st read above, a case was registered by the Anti Corruption Bureau, against Sri K.Sambasiva Rao (A.O.1), Health Officer (on deputation to MA&UD Dept., working as Medical Health Officer, Municipal Corporation, Guntur) Sri Shaik Kalesha (A.O.2), former Sanitary Inspector, Guntur Municipal Corporation, Guntur and they were trapped on 27.10.2004 for demanding a bribe amount of Rs.10,000/- and Rs.2,500/- respectively as illegal gratification from the complainant for doing official favour to issue "No Objection Certificate" to his proposed Wine and Bar shop at gujjanagundla Centre for obtaining licence in F.L.17.

2. And whereas, the Commissioner, Municipal Corporation, Guntur being competent authority has placed Sri Shaik Kalesha, former Sanitary Inspector under suspension vide proceedings in the reference 2nd read above. Subsequently, in the reference 3rd read above, the Commissioner, Municipal Corporation, Guntur was permitted to reinstate Sri Shaik Kalesha, former Sanitary Inspector into service.

3. Whereas, in the reference 4th read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has furnished the final report in the case and recommended for according sanction for prosecution of the Accused Officers Sri K.Sambasiva Rao (A.O.1), Medical Health Officer, Guntur and Sri Shaik Kalesha (A.O.2), former Sanitary Inspector, Guntur Municipal Corporation, Guntur.

(P.T.O)

4. Whereas, in the reference 5th read above, Government after examining the said final report have permitted the Commissioner, Municipal Corporation, Guntur to accord sanction for prosecution against Sri Shaik Kalesha (A.O.2), former Sanitary Inspector, Guntur Municipal Corporation, Guntur in the Court of Law. Accordingly a case in C.C.No.19/2006 was filed by the ACB court of Special Judge for SPE & ACB Cases, Vijayawada against the Accused Officer. Subsequently Sri Shaik Kalesha, former Sanitary Inspector was retired from 30.11.2017.

5. Whereas, in the reference 6th read above, the Director General, Anti Corruption Bureau, Vijayawada has informed that, the Special Judge for SPE & ACB., cases, Vijayawada delivered the judgment on 02.11.2017 in C.C.No.19/2006. The Spl. Judge found the A.Os 1 & 2, Dr. K.Sambasiva Rao (belongs to HM&FW Department), formerly Municipal Health Officer, Municipal Corporation, Vijayawada and Sri Kalesha, formerly l/c Sanitary Inspector-I, A-Division, Municipal Corporation, Guntur respectively are found guilty for the offences under Section 7 & 13 (2) r/w 13(1) (d) of the P.C.Act, 1988 and convicted them U/Sec.248 (2) Cr.P.C. The Judge sentenced the A.O.1 to undergo rigorous imprisonment for 2 years and to pay a fine of Rs.10,000/- for each offence and A.O.2 to undergo RI for 2 years for each offence and to a fine of Rs.2,000/- for the offence U/Sec.7 and Rs.3,000/- for the offence U/Sec.13(1) (d) of P.C.Act, 1988. Both the sentences were ordered to run concurrently.

6. Whereas, the Government after careful examination of the matter and keeping in view of the existing instructions issued in G.O.Ms.No.2, G.A. (Ser.C) Department, dated:04.01.1999, decided to impose punishment of 100% cut in pension permanently against Sri Shaik Kalesha, former Sanitary Inspector, Guntur Municipal Corporation, Guntur, in terms of Rule-9 of A.P. Revised Pension Rules, 1980, since he was convicted by the Trial Court.

7. Accordingly, Government hereby impose a punishment of 100% cut in pension permanently in respect of Sri Shaik Kalesha, former Sanitary Inspector, Guntur Municipal Corporation, Guntur, in terms of Rule 9(1) of A.P. Revised Pension Rules, 1980, since he was convicted by the Special Judge for SPE & ACB Cases, Vijayawada vide Judgment dated.02.11.2017 in C.C.No.19/2006.

8. The Commissioner, Guntur Municipal Corporation, A.P., Guntur shall take necessary action in the matter accordingly.

9. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Shaik Kalesha, former Sanitary Inspector (Retd.),
Guntur Municipal Corporation, Guntur – **through**
the Commissioner, Guntur Municipal Corporation, A.P., Guntur.

(Contd..3)

The Commissioner, Guntur Municipal Corporation, A.P., Guntur.

Copy to:

The Director of Municipal Administration, A.P., Guntur.
The Director General, Anti Corruption Bureau, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission,
A.P. Secretariat, Velagapudi.
The Principal Accountant General (A&E), A.P., Saifabad, Hyderabad.
The District Collector, Guntur.
The Commissioner, Guntur Municipal Corporation, Guntur.
The Deputy Superintendent of Police, ACB, Vijayawada Range, Vijayawada.
SC / SF.

// FORWARDED BY ORDER //

SECTION OFFICER.